

November 2003 Unified Program Newsletter

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Cal/EPA

Cal/EPA Enforcement Training Scholarships

Cal/EPA will once again be able to offer scholarships for tribal and local enforcement staff to attend the [Sixth Annual Unified Program Training Conference](#). Funds for these scholarships were obtained as part of the settlement of an enforcement case brought by Cal/EPA, the Air Resources Board, and the State Water Resources Control Board. To apply, please send the information detailed in the attached application instructions, by e-mail or mail to:

Lisa Brown
Assistant Counsel for Enforcement
Cal/EPA
1001 "I" St.
Sacramento CA 95814
lbrown@calepa.ca.gov

The deadline for applications is Monday, December 1, 2003. Recipients will be notified by approximately December 19, 2003.

Final Environmental Justice Recommendations Report

The Cal/EPA Advisory Committee on Environmental Justice is excited to announce the release of its **Final Report**: *"Recommendations of the Cal/EPA Advisory Committee on Environmental Justice to the Interagency Working Group on Environmental Justice"*. The report was prepared by the Advisory Committee and covers specific areas in regards to Cal/EPA's legislative mandate on environmental justice. The Report is intended to provide a set of comprehensive recommendations to establish and implement an effective environmental justice program at Cal/EPA. Copies of the Report are available on the Cal/EPA EJ Website. www.calepa.ca.gov/envjustice

AB 1640

On October 10, 2003, Governor Davis signed AB 1640 (Laird). The bill amends California Health and Safety Code, Sections 25404, 25404.1.1, 25404.3, 25501.4, 25532, and 25540 of, and adds Section 25404.1.3. AB 1640:

- Authorizes a Unified Program Agency to suspend or revoke any unified program facility permit or element of a unified program facility permit for not paying the permit fee or a fine or penalty associated with the permit pursuant to a specified procedure.

- Authorizes a Unified Program Agency to apply to the clerk of the appropriate court for a judgment to collect an administrative penalty for an administrative order or decision that has become final and would require the court clerk to enter the judgment immediately in conformity with the application.
- Requires the Secretary to find that all other agencies proposing to implement a specific program element (Participating Agencies) maintain an agreement with the CUPA.
- Defines the term "person" for the Cal/ARP program and authorizes the imposition of civil and criminal liability upon a person who violates those provisions.

AB 1640 http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1640&sess=CUR&house=B&search_type=email
 Chaptered http://www.leginfo.ca.gov/pub/bill/asm/ab_1601-1650/ab_1640_bill_20031009_chaptered.html

State Surcharge

The final state surcharge was published in the [California Regulatory Notice Register](#) on September 19, 2003. Cal/EPA notified all Unified Program Agencies through a [Unified Program Bulletin](#) that was distributed via email and regular mail. For additional information visit the [Unified Program website](#).

Summary Report Reminder

The following Summary Reports were due on September 30, 2003: Annual Single Fee Summary Report, Annual Inspection Summary Report, and Annual Enforcement Summary Report. At the time of this newsletter Cal/EPA has not received reports from a number of CUPAs. If you have not yet submitted these reports, please send them as soon as possible to the following address:

Attention: Ms. Bridget Binning
 Unified Program Section
 California Environmental Protection Agency
 P.O. Box 2815
 Sacramento, CA 95812

Please contact Bridget Binning at (916) 327-9557 or bbonilla@calepa.ca.gov if you have not yet submitted the reports and anticipate problems submitting them within the next week or ten days.

State Water Resources Control Board

UST Training Regulations

The SWRCB has placed the UST Training regulations on its consent calendar, which means that it intends to adopt them at its November 19, 2003 Board meeting. The regulations must be approved by the Office of Administrative Law before they take effect.
http://www.swrcb.ca.gov/ust/legal/new_regs/index.html

UST Red Tag Regulations

The SWRCB has placed the UST Red Tag regulations on its consent calendar, which means that it intends to adopt them at its November 19, 2003 Board meeting. The regulations must be approved by the Office of Administrative Law before they take effect.
http://www.swrcb.ca.gov/ust/docs/red_tag_regs/index.html

Licensed Tank Tester List Update

The most recent Tank Tester Licensing List by both Last Name and Company is located at:
<http://www.swrcb.ca.gov/ust/docs/lgs/lg-105-12.html>

Flexible Piping Advisory

The UST Program has issued an advisory on flexible piping and has placed an advisory issued by the State of Mississippi on the UST Web site. Please refer to these Web links:

<http://www.swrcb.ca.gov/ust/docs/enforce/Flexible%20Piping%20Advisory.October%207.2003.pdf>
<http://www.swrcb.ca.gov/ust/docs/enforce/Mississippiflexlet1.pdf>

UST Inspectors' Workshop

The monthly UST inspectors' workshop will be held November 18, 2003 at the CalEPA building. There will be presentations on discriminating sensors and vapor-tight spill buckets.

Department of Toxic Substances Control**Identification Number Verification Questionnaire (VQ) Letters**

Health and Safety Code section 25205.16 requires DTSC to annually verify the accuracy of information related to generators, transporters and facilities authorized to treat, dispose of, store, or recycle hazardous waste. DTSC captures this information through the annual ID Number Verification process and uses the collected information to ensure that the Hazardous Waste Tracking System database is current and accurate. The ID Number Verification Fee, which has been established by State legislation, funds this effort. Additionally, this annual process collects Manifest Fees which fund manifest data collection and processing.

On June 9, 2003 DTSC sent out the 2003 ID Number Verification and Fee Assessment as required by Health and Safety Code, Sections 25205.16 and 25205.15. This current mailing, sent out on October 27, 2003, is the 2nd and Final Notice of the 2003 process. The ID Number Verification and Verification Fee is for all valid ID Numbers held by an organization during the fiscal year 2002/2003 (from July 1, 2002 through June 30, 2003). The Manifest Fee assessment is for all manifests used by an organization from for calendar year 2002 (January 1, 2002 through December 31, 2002).

Health and Safety Code, Section 25205.16(c) states that any generator, transporter, or facility operator who fails to provide the required information to verify the accuracy of hazardous waste activity data, shall be subject to suspension of any and all identification numbers assigned to the generator, transporter, or facility operator. Businesses failing to complete the annual verification will have their ID Numbers suspended.

If you have any questions, or for further information, please contact Maria Cholula at 916-255-4790 or mcholula@dtsc.ca.gov.

Office of the State Fire Marshal**Statutes and Regulations Course**

A California Fire Code/California Building Code/Title 19 Statutes and Regulations Class is scheduled for November 4-6, 2003. The class is tentatively scheduled to be held at Apple Valley Fire Station 336. If you have questions or are interested in the class please contact inspector Jason Nailon at (760) 247-7618, or e-mail at <mailto:jnailon@applevalleyfd.com>.

Regulations

The Fire and Life Safety Building Standards Advisory Board (FLSAB) met on September 18th to review several proposed rulemaking packages. The proposed regulations with FLSAB recommended modifications and the draft meeting minutes can be viewed on the SFM website.
<http://osfm.fire.ca.gov/cupa.html>.

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to Anie Wilson at (916) 327-9559 or awilson@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)

Cal/EPA Scholarship Application Instructions and Information
Sixth Annual Unified Program Training Conference
February 2-5, 2004
Santa Clara, California

The scholarships include payment of registration fee, travel, hotel and per diem costs as allowed under state travel reimbursement policies. Scholarships are available to local and tribal environmental enforcement staff.

Please supply all of the following information in your application:

1. Name
2. Title/Agency
3. Duties (particularly as they relate to inspections and enforcement)
4. Email
5. Phone number
6. Mailing address
7. Supervisor's name, email, and phone number
8. Have you received a Cal/EPA scholarship before? If so, when?
9. Did you attend the CUPA/UST conference last year? Have you ever attended?

Please send applications by email or mail to:

Lisa Brown
Assistant Counsel for Enforcement
Cal/EPA
1001 "I" St.
Sacramento CA 95814
lbrown@calepa.ca.gov

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